

Amendments to the Claims

Claim 1 (Currently Amended). An The implantable device for changing the spatial relationship between first and second bones, the device comprising: according to claim 30, wherein

a body configured and dimensioned for insertion into a joint located between the first and second bones and coated with a bone growth promoting material, the body including bone-contacting first and second major planar surfaces, said body has a side surface therebetween interconnecting said first surface and said second surface, a first channel extending through the first major planar surface and side surface, and a fastener means for fixedly connecting the body to the first bone, the fastener means disposed in the first channel such that the fastener means angularly extends at an acute angle through the side surface to the first major planar surface,

wherein one major surface tapers to form a pointed edge with the other major surface, and

wherein the bone growth promoting material includes a bone morphogenic protein.

Claims 2-3 (Canceled).

Claim 4 (Currently Amended). The device of claim [[1]] 34 wherein the bone growth promoting material includes collagen.

Claim 5 (Original). The device of claim 4 wherein the collagen is in the form of apatite compositions with collagen.

Claim 6 (Original). The device of claim 4 wherein the bone growth promoting material includes demineralized bone.

Claim 7 (Original). The device of claim 6 wherein the demineralized bone is a powder.

Claim 8 (Currently Amended). The device of claim [[1]] 30 wherein the body has an open cellular structure to provide cavities in which bone can grow through.

Claim 9 (Original). The device of claim 8 wherein the body is made of a biocompatible metallic material.

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Claim 10 (Original). The device of claim 9 wherein the body is made of tantalum.

Claims 11-12 (Canceled).

Claim 13 (Original). The device of claim 8 wherein at least some of the cavities contain a bone growth promoting material.

Claim 14 (Cancelled).

Claim 15 (Currently Amended). The device of claim [[1]] 36 wherein ~~the fastener means~~ said fastener includes a screw.

Claims 16-18 (Canceled).

Claim 19 (Previously presented). The device of claim 1 wherein at least a portion of the side surface has a configuration corresponding to at least a section of an outer side surface of one of the first and second bones.

Claim 20 (Cancelled).

Claim 21 (Currently Amended). The device of claim [[20]] 36 further including wherein: a further channel is formed through said second surface and said side surface; and a second ~~fastener means for fixedly connecting~~ fixes the body to the second bone, the second fastener ~~means~~ being disposed in the second channel.

Claim 22 (Currently amended). The device of claim 21 wherein the first and second fastener ~~means~~ fasteners includes include two screws.

Claims 23-24 (Cancelled).

Claim 25 (Currently Amended). An implantable device for changing the spatial relationship between first and second bones of a joint, the device comprising:

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a body including bone-contacting first and second major surfaces, a side surface therebetween, a first channel angularly extending at an acute angle through the first major surface and side surface, and a second channel extending through the second major surface and side surface, wherein one major surface tapers to form a pointed edge with the other major surface and the first and second major surfaces and side surface are positionable in the joint between the first and second bones such that the first major surface contacts the first bone and the second major surface contacts the second bone;

a first fastener means for fixedly connecting the first major surface of the body to the first bone, wherein the first fastener means is disposed through the first channel such that the first major side surface remains affixed to the first bone;

a second fastener means for fixedly connecting the second major side surface of the body to the second bone, wherein the second fastener means is disposed through the second channel; and

a coating covering the body, wherein the coating includes a bone growth promoting material and wherein the bone growth promoting material includes a bone morphogenic protein.

Claim 26 (Previously Presented). The device of claim 25 wherein the first and second fastener means includes a screw.

Claim 27 (Previously Presented). The device of claim 25 wherin at least a portion of the side surface has a configuration corresponding to at least a section of an outer side surface of one of the first and second bones.

Claim 28 (Previously Presented). The device of claim 25 wherein the body is made of tantalum.

Claim 29 (Previously Presented). The device of claim 25 wherein at least the first major surface of the body has an open cellular structure to provide cavities in which bone can grow through.

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Claim 30 (New). An implantable device for reversibly changing a spatial relationship between a first bone and a second bone from a wide position to a narrow position, comprising

a first surface abutting the first bone in the wide position and the narrow position;
a second surface abutting the second bone in the wide position and the narrow position; and
a body interconnecting said first surface and said second surface,
said first surface maintaining an equal distance from said second surface when moving from the wide position to the narrow position.

Claim 31 (New). The implantable device according to claim 30, wherein the implantable device is rotated about an axis to move between the wide position and the narrow position.

Claim 32 (New). The implantable device according to claim 31, wherein the implantable device does not move longitudinally along said axis when moving from the wide position to the narrow position.

Claim 33 (New). The implantable device according to claim 30, further comprising a means for changing from the wide position to the narrow position.

Claim 34 (New). The implantable device according to claim 30, wherein said body is coated with a bone growth promoting material.

Claim 35 (New). The implantable device according to claim 34, wherein said bone growth promoting material includes a bone morphogenic protein.

Claim 36 (New). The implantable device according to claim 30, wherein:

a channel is formed through said first surface and side surface; and
a fastener is disposed in said channel for fixedly connecting said body to the first bone.

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Claim 37 (New). The implantable device according to claim 36, wherein said fastener has an end proximate said side surface, said end being nested within said side surface.

Claim 38 (New). The implantable device according to claim 36, where said fastener angularly extends at an acute angle through said side surface to said first surface.

Claim 39 (New). The implantable device according to claim 30, wherein said first surface tapers to form a pointed edge with said second surface.

Claim 40 (New). The implantable device according to claim 34, wherein the implant is connected to only one of the bones.